

**STATE OF WASHINGTON
OFFICE OF FINANCIAL MANAGEMENT
OLYMPIA, WASHINGTON**

**REQUEST FOR PROPOSALS
RFP NO. 21-1500**

Note to Vendors: This RFP and any subsequent Amendments will be available on the Office of Financial Management (OFM) website at http://ofm.wa.gov/contracts_procurements/default.asp. Vendors are also encouraged to register on the Department of Enterprise Services (DES), Washington Electronic Business Solution (WEBS) Procurement Website at <http://des.wa.gov/services/ContractingPurchasing/Business/Pages/WEBSRegistration.aspx>. All solicitation Amendments and Bidder questions/OFM answers will be posted on the OFM website and on WEBS.

PROJECT TITLE: Equity Impact Statement Tools and Procedures

PROPOSAL DUE DATE: December 3, 2021, 3:30 PM Pacific Time, Olympia, Washington.

ESTIMATED CONTRACT TERM: January 7, 2022 – July 31, 2022

BIDDER ELIGIBILITY: This competitive solicitation is open to those Vendors who satisfy the minimum qualifications stated herein and who are available for work in Washington State.

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1. INTRODUCTION

1.1 OVERVIEW

- a. The state of Washington is on a journey to becoming anti-racist so that everyone in Washington has full access to the opportunities, power, and resources they need to reach their full potential and to flourish. As part of that journey, the newly created Washington State Office of Equity (Equity Office)¹ is developing the state's five-year equity strategic plan that will: contain equity-related goals and objectives to guide the state toward a unified vision of equity; bridge opportunity gaps and reduce inequities, including racial/ethnic inequities; and improve outcomes statewide across state government. The Equity Office has a number of objectives, most notably: serving as a conduit between government and communities to develop equitable policies and build connectivity among communities that have been historically underserved and underrepresented; developing policies and provide technical assistance and training to agencies to center equity and belonging to sustain workforce diversity and equitable and just service delivery; sets expectations; and measures progress agencies make towards equity goals to foster accountability.²

The Equity Office will develop and assist agencies in using a variety of equity impact and assessment tools designed to integrate explicit consideration of equity, including racial equity, in decisions, including, yet not limited to, service delivery, program development, policy development, practices, and budgeting. However, the Equity Office is not explicitly charged with creating tools that will be used by the legislative branch and is not directed to develop tools that will be used during the legislative process.

During the 2021 legislative session, the legislature provided funding for the Office of Financial Management (OFM) to contract for consultant services to prepare and submit a report on equity impact statements in consultation with the Equity Office and the Governor's Interagency Council on Health Disparities. The report must include recommendations on components of the equity impact statement and the process that will be used to assess proposed legislation for equity, including racial equity, impacts.

- b. **Purpose**

OFM is initiating this Request for Proposals (RFP) pursuant to Chapter 334, Laws of 2021, Sec. 131(12) ³ to solicit proposals from individuals or organizations to draft a report that will include:

- a) The procedure for developing and providing an equity impact statement for legislative proposals;
- b) The format and content requirements for the equity impact statement;
- c) A plan, including information technology additions or revisions, necessary to provide equity impact statements;

¹ See Appendix A – Chapter 332, Laws of 2020.

² See Appendix B – Equity Office Task Force Final Report.

³ See Appendix C – Chapter 334, Laws of 2021, Sec 131(12).

- d) Recommendations on which office or agency should be principally responsible for coordinating the provision of equity impact statements with state agencies; and
- e) Recommendations on any policy changes needed to implement the provision of equity impact statements.

c. **Background**

During each legislative session, hundreds of bills are introduced by legislators. Each bill is independently summarized by nonpartisan committee staff when initially introduced in each chamber and, as the bill is amended, a new description is often provided. The bill report may include a description and background information, but an analysis of intended or unintended impacts is typically not provided in the bill report nor is there a section of the bill report that includes an equity review or analysis. When racial equity is not explicitly brought into this process, racial inequities are likely to be perpetuated.

In addition to a bill report, OFM, when requested, coordinates and publishes fiscal notes, which are an objective statement of the fiscal impact of each version of the proposed legislation. The fiscal note is the most reasonable estimate of the proposed legislation's expenditure and cash receipt implications using the best and most rationale set of assumptions.⁴ There are three types of fiscal notes that can be completed:

- State – prepared by a state agency,
- Local – prepared by the Department of Commerce's Local Government Fiscal Note Program, and
- Judicial – prepared by the judicial branch.

The Washington State Board of Health, in collaboration with the Governor's Interagency Council on Health Disparities, conducts Health Impact Reviews at the request of any legislator or the Governor. An HIR is an objective, non-partisan, evidence-based analysis of how proposed legislation may impact health and equity in Washington State. Each analysis includes a review of published literature and interviews with key informants and people that may be impacted by the bill. A review may be requested at any point in the legislative process and, by statute, HIRs requested during legislative session must be completed within 10 days. In a typical legislative session, HIR staff complete between 11 and 18 HIR reports (around 30-80 pages per report). During the 2021 Legislative Session, HIR staff completed 12 HIRs.⁵

During the 2021 legislative session, Chapter 310, Laws of 2021 was passed, which requires the Joint Legislative Audit and Review Committee to incorporate a racial equity analysis or note if a racial equity analysis is not necessary or appropriate, in its performance audits, sunset reviews, and other audits or reports.

Also during the 2021 legislative session, House Bill 1264⁶ was introduced, which would have required the development and use of Equity Impact Statements

⁴ Appendix D – Agency Fiscal Note Instruction 2021-2023 Biennium:

<https://ofm.wa.gov/sites/default/files/public/budget/instructions/other/agencyfiscalnoteinstructions.pdf>

⁵ Appendix E – Health Impact Review website: <https://sboh.wa.gov/HealthImpactReviews>

⁶ House Bill 1264:

<https://lawfilesexternal.wa.gov/biennium/202122/Pdf/Bills/House%20Bills/1264.pdf?q=20211007211834>

during future legislative sessions in a phased-in approach. The bill was later converted into a budget proviso that was reflected in Chapter 334, Laws of 2021, Sec 113, the budget proviso for this RFP.

d. **Goals and Objectives**

The purpose of this RFP is to solicit recommendations that will include tools and a preferred process to provide meaningful and useful equity assessments for proposed legislation. The recommendations must take into account the volume of bills introduced each session, need for timely analysis, staffing and fiscal costs, data limitations that need to be addressed, and ease of use. The recommended process should also include a suggested IT platform to submit and review the statements and a location where the statements can be publicly accessible.

The preferred tool and process should lead to information that will help the state and lawmakers identify potential unintended and unanticipated adverse consequences that may be the result of proposed legislation, and/or identify potential opportunities for proposed legislation to promote social justice, equity, and access.

e. **Contract Term**

The period of performance under the contract shall start on or after January 7, 2022 and run through July 30, 2022. Below is a general timeline of the period of performance. The term of the contract may be extended by amendment, at the sole discretion of OFM. Additional services that are within the scope of this solicitation, as determined by OFM, may be added to the contract in a mutually agreeable amendment.

Benchmarks and Deliverables	Tentative Due Date	Tentative Payment Allocation Model
Contract Begins	Jan 7, 2022	
Convene Steering Committee with Kickoff	Jan 7, 2022	10% - \$15,000
Communications and Engagements with Stakeholders	Before March 1, 2022	2.5% - \$3,750
Draft Equity Impact Statement and Process Outline Due to Steering Committee	March 1, 2022	20% - \$30,000
Communications and Engagement with Stakeholders	Before April 1, 2022	2.5% - \$3,750
Draft Report Due to Steering Committee	April 1, 2022	20% - \$30,000
Final Draft Report Due to Steering Committee	May 30, 2022	20% - \$30,000
Report Due to the Legislature, Governor, and Statutory Commissions	June 30, 2022	20% - \$30,000
Contract Ends	July 30, 2022	5% - \$7,500

Payments will be made no later than 30 days after acceptance of the deliverables and the invoice by OFM.

1.2 SCOPE OF WORK

OFM is seeking proposals from qualified individuals and organizations that can make informed, actionable, and realistic recommendations for equity impact statements and a process for use during the legislative session. The contractor will be responsible for completing the following:

- a. An overall implementation plan that addresses communication needs, the rollout, and use of the tool created under (b) below.
- b. A proposed version of an equity impact statement for all original bills and amendments – this tool should provide lawmakers and other decisionmakers with an equity analysis of the proposed legislation. The final version must list the format and content requirements for the equity impact statements and describe engagement with stakeholders and impacted communities, if any.
- c. The process for completing the equity impact statements – a process flow chart and written plan shall be designed that includes:
 - i. How and when the request for an equity impact statement is initiated;
 - ii. Which agency(ies) will contribute and provide analysis to the equity impact statement in its entirety or a component of the statement and an explanation of criteria used to decide which agency(ies) will contribute;
 - iii. Which agency(ies) is responsible for managing the equity impact statement process, reviewing submitted equity impact statements for accuracy and completeness, and is ultimately responsible for making a final version publicly available;
 - iv. A process for external partners to raise issues/concerns/complaints about the analysis and how the issues will be addressed/handled;
 - v. A process, if any, for completing an equity impact statement on amended bills;
 - vi. The recommended timeframe for completing an equity impact statement on proposed legislation.
- d. Identified data and IT needs and potential solutions for the process designed in (b) above.
- e. A training plan (not the curriculum) for:
 - i. Staff responsible for completing the equity impact statements
 - ii. Legislators, agency staff, and public to read and understand completed equity impact statements
- f. Recommended policy changes, if any needed, to implement the use of equity impact statements.
- g. Preliminary budget for recommendations provided in the report.
- h. Establishing a steering committee with representatives from the OFM, Governor's Interagency Council on Health Disparities, and Equity Office.
- i. Communication, engagement, and periodic updates with stakeholders throughout the contract including key legislators and statutory commissions.
- j. **Deliverables**
 - i. Kickoff meeting with Steering Committee
 - ii. Email updates provided at least every other week to Steering Committee

- iii. At least two meetings (virtual or in-person) and two communication updates to stakeholders
- iv. Draft equity impact assessment for proposed legislation and amendments
- v. Draft report with overall implementation plan, equity impact statement process and flow chart, IT needs identified, training plan, needed policy changes, and preliminary budget.
- vi. Final draft report to Steering committee for edits/comments.
- vii. Incorporated edits/comments/issues addressed in final report to Governor, legislature and statutory commissions.

1.3 MINIMUM QUALIFICATIONS

Bidders who do not meet these minimum qualifications, will be rejected as non-responsive and will not be evaluated or scored.

Minimum qualifications include:

- a. Bidder must be licensed to do business in the State of Washington or provide a commitment that it will become licensed in Washington within fifteen (15) calendar days of being selected as an Apparent Successful Bidder.
- b. Have at least 4 years of experience and a successful track record of developing systems and process changes with the goal of promoting diversity, equity, and inclusion.
- c. Have experience working with government in a consulting role;
- d. Have experience developing, implementing, and evaluating equity assessments and other equity/race equity tools and assessments;
- e. Have knowledge of the Washington's legislative process; and
- f. Have demonstrated ability to meaningfully engage the community and partners.

1.4 SPECIAL CONDITIONS – COVID-19 VACCINATION MANDATE

- a. On August 10, 2021, Governor Jay Inslee issued Proclamation 21-14, prohibiting any worker, defined as including independent contractors who are required to perform work in person and on-site, regardless of frequency, whether other workers are present, or any contingent nature of that requirement, from engaging in work for a state agency after October 18, 2021, if the Worker is not fully vaccinated against COVID-19 and has not provided proof of vaccination to the agency. The only two exemptions from the vaccination requirement is if the contractor is unable to be vaccinated due to a medical issue or is entitled to a religious accommodation.
- b. Therefore, all Bidders to this procurement, including their employees and subcontractors, must complete and submit Exhibit F, Proclamation 21-14 COVID-19 Vaccination Certification. Any Bidder who fails to submit Exhibit F will be automatically disqualified and their proposal not scored.

1.5 CONTRACTS

OFM intends to award one (1) contract to provide the services described in this solicitation. OFM cannot guarantee that the Contractor will actually receive work off this contract. The contractor may subcontract the development of the equity impact statement to one or more subcontractors in order to explore and provide a number of recommendations and equity impact statements for consideration.

1.6 FUNDING

Any contract awarded as a result of this solicitation is contingent upon the availability of funding. Total funding for this contract is currently available under Chapter 334, Laws of 2021, Sec 113 in the amount of One Hundred Fifty Thousand (\$150,000).

1.7 CONTRACTING WITH CURRENT OR FORMER STATE EMPLOYEES

Specific restrictions apply to contracting with current or former state employees pursuant to RCW 42.52. Bidders should familiarize themselves with the requirements prior to submitting a Proposal that includes current or former state employees.

1.8 DEFINITIONS

Definitions for the purposes of this solicitation include:

Amendment. A unilateral change to the solicitation that is issued by OFM at its sole discretion and posted on WEBS.

Agency. The Office of Financial Management (OFM) State Human Resources (State HR) division is the agency of the State of Washington that is initiating this solicitation and executing any contract(s) resulting from this solicitation.

Apparent Successful Bidder or ASB. The Bidder selected as an entity to perform the anticipated services, subject to completion of contract negotiations and execution of a written contract.

Authorized Representative. An individual designated by the Bidder to act on its behalf who has the authority to legally bind the Bidder concerning the terms and conditions set forth in this Solicitation and related documents.

Bidder. Individual or company interested in the solicitation and that may or does submit a Proposal in order to attain a contract with OFM. Also known as "Proposer."

Contract. The signed agreement(s) if any, that may result from this solicitation, including all Attachments, Exhibits, Statement(s) of Work, all Amendments, and the Bidder's response to this solicitation.

Contractor. Individual or company whose proposal has been accepted by OFM and is awarded a fully executed, written contract.

Equity. Is developing, strengthening, and supporting policies and procedures that distribute and prioritize resources to those who have been historically and currently marginalized, including tribes. It requires the elimination of systemic barriers that have been deeply entrenched in systems of inequality and oppression. Equity achieves procedural and outcome fairness, promoting dignity, honor, and respect for all people.

Equity Impact Statement. Is an evaluation and analysis tool that is used to identify the impact of a policy or program on equity.

HIR. Is the Health Impact Review completed by the Washington State Board of Health in collaboration with the Governor's Interagency Council on Health Disparities.

OFM. The Office of Financial Management, including any divisions, units or departments within OFM.

Proposal. A formal offer submitted in response to this solicitation, also known as Bid.

Proposer. Individual or company interested in the solicitation and that may or does submit a proposal in order to attain a contract with OFM. Also known as “Bidder”.

Request for Proposals (RFP). Formal solicitation document in which services needed are identified and vendors are invited to provide their Proposals to provide the services.

Solicitation. This document in which services needed are identified and vendors are invited to provide their Proposals to provide the services. Also known as “RFP” or “Procurement”.

WEBS. Washington’s Electronic Business Solution, the Bidder notification system found at <https://pr-webs-vendor.des.wa.gov/> and maintained by the Washington State Department of Enterprise Services.

1.9 ADA

OFM complies with the Americans with Disabilities Act (ADA). Bidders may contact the Solicitation Coordinator to receive this solicitation in Braille or on tape.

2. GENERAL INFORMATION

2.1 SOLICITATION COORDINATOR

- 2.1.1 The Solicitation Coordinator is the sole point of contact for this procurement. All communication between the Bidder and OFM upon release of this solicitation shall be with the Solicitation Coordinator, as follows:

Name	Natalie Eckart
E-Mail Address	ofmprocurements@ofm.wa.gov
Telephone	(360) 790-4823

- 2.1.2 Any other communication will be considered unofficial and non-binding on OFM and the State of Washington. Communication directed to parties other than the Solicitation Coordinator will result in disqualification of the Bidder.

- 2.1.3 It is recommended that you request a read receipt whenever sending an email to the Solicitation Coordinator to ensure your email was received.

2.2 ESTIMATED SCHEDULE OF PROCUREMENT ACTIVITIES

Issue Request for Proposals	October 13, 2021
Bidders may submit written questions until 3:30 pm Pacific Time	October 28, 2021
OFM will issue responses to Bidder Questions on WEBS	November 4, 2021
Complaints due	November 24, 2021
Bidder must submit Proposal by 3:30 Pacific Time	December 3, 2021
OFM evaluation of Proposals	December 8, 2021
OFM announces Apparent Successful Bidder (ASB) and notifies all responsive bidders via WEBS	December 9, 2021
Unsuccessful Bidders may request Debriefing until 3:30 Pacific Time	December 14, 2021
OFM holds Debriefing Conferences, if requested, at the earliest possible date, but no later than	December 15, 2021
Estimated Effective date of Contract	January 7, 2021

OFM reserves the right to revise the above schedule.

2.3 QUESTIONS AND ANSWERS

Bidders may e-mail written questions to the Solicitation Coordinator. Questions will be accepted until the date set forth in the Procurement Schedule. Early submission of questions is encouraged. Questions and answers will be posted by Amendment

on WEBS. Bidders may only rely on written statements issued by the Solicitation Coordinator. Any oral communications are unofficial and are not binding on OFM.

2.4 SUBMISSION OF PROPOSALS

- a. The Proposal must be received by the Solicitation Coordinator no later than 3:30 pm Pacific Time, Olympia, WA, on **December 3, 2021**.
- b. Scored items are awarded points as part of the evaluation conducted by the evaluation team.
- c. Bidders are required to submit their Proposals as an attachment to an email to the Solicitation Coordinator at the email address above, on or before the proposal due date. The Bidder must identify each document and email with the identifier "**RFP 21-1500**" and the Title, "**Equity Impact Statement Tools & Procedures**". Attachments to e-mails must be in Microsoft Word or PDF format. Zipped files cannot be received by OFM and cannot be used for submission of proposals.
- d. Proposals may not be transmitted using facsimile transmission.
- e. Late proposals will not be accepted and will be automatically disqualified from further consideration.
- f. All proposals and any accompanying documentation become the property of the OFM and will not be returned.

2.5 PROPRIETARY INFORMATION/PUBLIC DISCLOSURE

- a. Proposals submitted in response to this solicitation shall become the property of OFM. All proposals received shall remain confidential until OFM announces the ASB, at which time the proposals shall be deemed public records as defined in Chapter 42.56 of the Revised Code of Washington (RCW).
- b. Any information in the Proposal that the Bidder desires to claim as proprietary and exempt from disclosure under the provisions of Chapter 42.56 RCW, or other state or federal law that provides for the nondisclosure of your document, must be clearly designated. The information must be clearly identified and the particular exemption from disclosure upon which the Bidder is making the claim must be cited. Each page containing the information claimed to be exempt from disclosure must be clearly identified by the words "Proprietary Information" printed on the lower right-hand corner of the page. Marking the entire Proposal exempt from disclosure or as Proprietary Information will not be honored.
- c. If a public records request is made for the information that the Bidder has marked as "Proprietary Information," OFM will notify the Bidder of the request and of the date that the records will be released to the requester unless the Bidder obtains a court order enjoining that disclosure. If the Bidder fails to obtain the court order enjoining disclosure, OFM will release the requested information on the date specified. If a Bidder obtains a court order from a court of competent jurisdiction, enjoining disclosure pursuant to Chapter 42.56 RCW, or other state or federal law that provides for nondisclosure, OFM shall maintain the confidentiality of the Bidder information per the court order.
- d. A charge will be made for copying and shipping, as outlined in RCW 42.56. No fee shall be charged for inspection of contract files, but twenty-four (24) hours'

notice to the Solicitation Coordinator is required. All requests for information should be directed to the Solicitation Coordinator.

2.6 REVISIONS TO THE SOLICITATION

- a. In the event it becomes necessary to revise any part of this solicitation, Amendments will be published on WEBS at <https://fortress.wa.gov/ga/webscust> and on the OFM website at www.ofm.wa.gov. For this purpose, the published questions and answers and any other pertinent information shall be provided as an Amendment to the solicitation and will be placed on the website.
- b. **If you did not receive this solicitation via WEBS, please register with WEBS at the website above in order to receive further notifications.**
- c. OFM also reserves the right to cancel or to reissue the solicitation in whole or in part, prior to execution of a contract.

2.7 ACCEPTANCE OF SOLICITATION TERMS

The Bidder acknowledges that the submission of a proposal which includes a signed Bidder Certification and Assurance Form, attached as Exhibit A, constitutes a binding offer that is valid for 60 days from the due date of proposals.

2.8 RESPONSIVENESS

- a. All proposals will be reviewed by the Solicitation Coordinator to determine compliance with administrative requirements and instructions specified in this solicitation. The Bidder is specifically notified that OFM may reject or withdraw a proposal at any time as nonresponsive for any of the following reasons:
 - Incomplete proposal
 - Failure to comply with any part of this solicitation or any exhibit to this solicitation
 - Submission of incorrect, misleading, or false information.
- b. OFM also reserves the right, however, at its sole discretion to waive minor administrative irregularities.

2.9 MOST FAVORABLE TERMS

- a. The State of Washington reserves the right to make an award without further discussion of the Proposal submitted. Therefore, the Proposal should be submitted initially on the most favorable terms which the Bidder can propose. There will be no best and final offer procedure. The State of Washington does reserve the right to contact a Bidder for clarification of its Proposal.
- b. The ASB(s) should be prepared to accept this solicitation for incorporation into a contract resulting from this solicitation. Contract negotiations may incorporate some or all of the Bidder's Proposal. It is understood that the Proposal will become a part of the official procurement file on this matter without obligation to the State of Washington.

2.10 CONTRACT AND GENERAL TERMS AND CONDITIONS

- a. The ASB(s) will be expected to enter into a contract that will be similar to the Sample Contract, attached as Exhibit E. In no event is a Bidder to submit its own standard contract terms and conditions in response to this solicitation.

- b. The Bidder may submit exceptions as allowed in the Certifications and Assurances form, Exhibit A to this solicitation. All exceptions to the contract terms and conditions must be submitted as Track Changes to Exhibit E, and attached to their Proposal. Bidder must explain the reason for each requested exception, identifying the language in Exhibit E found problematic, the reason Bidders finds the language to be problematic, and any recommended methods/alternate language of mitigating or limiting the perceived negative consequences. Bidder must also explain why each item proposed as a change to a term is in the state's best interest as a customer and how it will support the state's business objectives. Where terms and conditions cannot be changed and may result in negative consequences on the quality of services or their supply, Bidders are required to recommend methods of mitigating or limiting these negative consequences.
- c. OFM will review requested exceptions and accept or reject the same at its sole discretion. Requested exceptions may be grounds for disqualification from further consideration in the award of a Contract, at OFM's discretion.

2.11 COSTS TO PREPARE PROPOSAL

OFM will not be liable for any costs incurred by the Bidder in preparation of a proposal submitted in response to this solicitation or any other activities related to responding to this solicitation.

2.12 NO OBLIGATION TO CONTRACT

This solicitation does not obligate the State of Washington or OFM to contract for services specified herein.

2.13 REJECTION OF PROPOSALS

OFM reserves the right at its sole discretion to reject any and all proposals received without penalty and not to issue a contract as a result of this solicitation.

2.14 COMMITMENT OF FUNDS

The Director of OFM, or the Director's delegate, are the only individuals who may legally commit OFM to the expenditures of funds for a contract resulting from this solicitation. No cost chargeable to the proposed contract may be incurred before receipt of a fully executed contract.

2.15 ELECTRONIC PAYMENT

The State of Washington prefers to utilize electronic payment in its transactions. Bidders who are awarded a contract as a result of this solicitation must register in the Statewide Vendor Payee Registration System. OFM maintains a central contractor registration file for Washington State agencies to process Contractor payments. To obtain registration materials and instructions for registration go to <https://ofm.wa.gov/it-systems/accounting-systems/statewide-vendorpayee-services>.

2.16 INSURANCE COVERAGE

- a. The Contractor is to furnish OFM with a certificate of insurance executed by a duly authorized representative of each insurer, showing compliance with the insurance requirements set forth below.

- b. The Contractor shall, at Contractor's own expense, obtain and keep in force insurance coverage, which shall be maintained in full force and effect during the term of the contract. The Contractor shall furnish evidence in the form of a Certificate of Insurance that insurance shall be provided, and a copy shall be forwarded to OFM within fifteen (15) days of the contract effective date.
- c. **Should a Bidder find the following insurance requirements to be overly burdensome, the Bidder should include in its Letter of Submittal a statement substantiating such.** If Bidder makes no such statement in the Letter of Submittal, OFM will assume that the Bidder is able to meet the requirements.
- d. **Liability Insurance**
 - (1) Commercial General Liability Insurance: Contractor shall maintain commercial general liability (CGL) insurance and, if necessary, commercial umbrella insurance, with a limit of not less than \$1,000,000 per each occurrence. If CGL insurance contains aggregate limits, the General Aggregate limit shall be at least twice the "each occurrence" limit. CGL insurance shall have products-completed operations aggregate limit of at least two times the "each occurrence" limit. CGL insurance shall be written on ISO occurrence from CG 00 01 (or a substitute form providing equivalent coverage). All insurance shall cover liability assumed under an insured contract (including the tort liability of another assumed in a business contract), and contain separation of insureds (cross liability) condition.
 - (2) Additionally, the Contractor is responsible for ensuring that any subcontractors provide adequate insurance coverage for the activities arising out of subcontracts.
 - (3) Business Auto Policy: As applicable, the Contractor shall maintain business auto liability and, if necessary, commercial umbrella liability insurance with a limit not less than \$1,000,000 per accident. Such insurance shall cover liability arising out of "Any Auto." Business auto coverage shall be written on ISO form CA 00 01, 1990 or later edition, or substitute liability form providing equivalent coverage.
- e. **Employers Liability ("Stop Gap") Insurance:** In addition, the Contractor shall buy employers liability insurance and, if necessary, commercial umbrella liability insurance with limits not less than \$1,000,000 each accident for bodily injury by accident or \$1,000,000 each employee for bodily injury by disease.
- f. **Additional Provisions.** The above insurance shall include the following provisions:
 - (1) **Additional Insured.** The State of Washington, OFM, its elected and appointed officials, agents and employees shall be named as an additional insured on all general liability, excess, umbrella and property insurance policies. All insurance provided in compliance with this contract shall be primary as to any other insurance or self-insurance programs afforded to or maintained by the state.
 - (2) **Cancellation.** OFM shall be provided written notice before cancellation or non-renewal of any insurance referred to therein, in accord with the following specifications. Insurers subject to 48.18 RCW (Admitted and Regulation by the Insurance Commissioner): The insurer shall give the state 45 days advance notice of cancellation or non-renewal. If cancellation is due to non-payment of premium, the state shall be given 10 days advance notice of

cancellation. Insurers subject to 48.15 RCW (Surplus lines): The state shall be given 20 days advance notice of cancellation. If cancellation is due to non-payment of premium, the state shall be given 10 days advance notice of cancellation.

- (3) **Identification.** Policy must reference the state's contract number and OFM name.
- (4) **Insurance Carrier Rating.** All insurance and bonds should be issued by companies admitted to do business within the state of Washington and have a rating of A-, Class VII or better in the most recently published edition of Best's Reports. Any exception shall be reviewed and approved by the Office of Financial Management Risk Manager, or the Risk Manager for the state of Washington, before the contract is accepted or work may begin. If an insurer is not admitted, all insurance policies and procedures for issuing the insurance policies must comply with Chapter 48.15 RCW and 284-15 WAC
- (5) **Excess Coverage.** By requiring insurance herein, the state does not represent that coverage and limits will be adequate to protect Contractor, and such coverage and limits shall not limit Contractor's liability under the indemnities and reimbursements granted to the state in this contract.
- g. **Workers' Compensation Coverage.** The Contractor will at all times comply with all applicable workers' compensation, occupational disease, and occupational health and safety laws, statutes, and regulations to the full extent applicable. The state will not be held responsive in any way for claims filed by the Contractor or their employees for services performed under the terms of this contract.

2.17 COMPLAINT PROCESS

- a. This procedure is available to potential Bidders who are contemplating submitting a bid in response to this solicitation. Only complaints concerning the following subjects shall be considered:
 - A claim that the solicitation unnecessarily restricts competition;
 - A claim the solicitation evaluation or scoring process is unfair or flawed, or
 - A claim the solicitation requirements are inadequate or insufficient to prepare a response.
- b. Bidders complaining about this procurement shall follow the procedures described below. Complaints that do not follow these procedures shall not be considered. If a Bidder registers a complaint against this solicitation, the complaint cannot be raised again during the protest period.
- c. All complaints must be in writing and signed by the complaining party or an authorized Agent. The complaint must be sent to the Solicitation Coordinator, or designee, by the date set forth in the Procurement Schedule and must clearly articulate the basis for the complaint. The Bidder submitting the complaint must also include a proposed remedy.
- d. Upon receipt of a complaint, a review will be held by OFM. The OFM Solicitation Coordinator will respond to complaints in writing and the OFM director will be notified of all complaints and provided a copy of OFM's response. A copy of the response to the complaint, including any changes to the solicitation, will also be posted to WEBS.

- e. The complaint process does not include an appeal process.

2.18 MINORITY & WOMEN-OWNED BUSINESS PARTICIPATION

In accordance with RCW 39.19, the State of Washington encourages participation in all of its contracts by firms certified by the Office of Minority and Women's Business Enterprises (OMWBE). Participation may be either on a direct basis in response to this solicitation or on a subcontractor basis. However, no preference will be included in the evaluation of proposals, no minimum level of Minority and Women's Business Enterprises participation shall be required as a condition for receiving an award and proposals will not be rejected or considered non-responsive on that basis.

The established annual procurement participation goals for certified **Minority Business Enterprises** is 10% and for certified **Women's Business Enterprises**, 4%, for this type of project. These goals are voluntary. Bidders may contact OMWBE at (360) 753-9693 to obtain information on certified firms.

3. PROPOSAL CONTENTS

The Proposal must be written in English. The three major sections of the Proposal must be submitted in the order below with the same headings. This will not only be helpful to the evaluators of the Proposal, but should assist the Bidder in preparing a thorough response.

3.1. Administrative Requirements (Section 1 of Proposal)

- a. Letter of Submittal. The Letter of Submittal and the attached Certifications and Assurances form (Exhibit A) must be signed and dated by a person authorized to legally bind the Bidder to a contractual relationship, e.g., the president or executive director of a corporation, the managing partner of a partnership, or the proprietor of a sole proprietorship. Signing the Letter of Submittal indicates that the Bidder accepts the terms and conditions of the solicitation. The Letter of Submittal shall contain the following information:
 - (1) Name, address, principal place of business, telephone number, fax number, and e-mail address of the legal entity or the individual with whom the contract would be written.
 - (2) The name and email address of the contact person for this solicitation.
 - (3) Legal status of Bidder (sole proprietorship, partnership, corporation, etc.) and the year the entity was established to do business as it now substantially exists.
 - (4) Name, address, and telephone number of each principal officer (President, Vice-President, Treasurer, Chairperson of the Board of Directors, etc.)
 - (5) Federal Employer Tax Identification number or Social Security number.
 - (6) The Washington Uniform Business Identification (UBI) number issued by the state of Washington Department of Revenue. If the Bidder does not have a UBI number, the Bidder must state that it will become licensed in Washington within thirty (30) calendar days of being selected as the Apparent Successful Bidder.
 - (7) Location of the facility from which the Bidder would operate.
 - (8) Indicate how many employees are with the firm.
 - (9) Identify any state employees or former state employees employed by the Bidder or on the Bidder's governing board as of the date of the Proposal. Include their position and responsibilities within the Bidder's organization. If following a review of this information, it is determined by OFM that a conflict of interest exists, the Bidder may be disqualified from further consideration for the award of a contract.
 - (10) If the Bidder's staff or subcontractor's staff was an employee of the State of Washington during the past 24 months, or is currently a Washington state employee, identify the individual by name, the agency previously or currently employed by, job title or position held, and separation date.
 - (11) If the Bidder has had a contract terminated for default in the last five years, describe such incident. Termination for default is defined as notice to stop performance due to the Bidder's non-performance or poor performance and the issue of performance was either (a) not litigated due

to inaction on the part of the Proposer, or (b) litigated and such litigation determined that the Proposer was in default.

- (12) Submit full details of the terms for default, including the other party's name, address, and phone number. Present the Bidder's position on the matter. OFM will evaluate the facts and may, at its sole discretion, reject the Proposal on the grounds of the experience. If no such termination for default has been experienced by the Bidder in the past five years, so indicate.
 - (13) A list of all solicitation Amendments downloaded by the Bidder from WEBS and listed in order by Amendment number and date. If there are no solicitation Amendments, the Bidder must include a statement to that effect.
 - (14) A statement substantiating that the person who signs the letter is authorized to contractually bind the Bidder's firm.
 - (15) A statement substantiating that the Bidder meets all the Minimum Qualifications as listed in **Minimum Qualifications** Section.
 - (16) Identification of the page numbers on the Bidder's Proposal that are marked "Proprietary Information".
- b. Bidder Certification and Assurances Form. Bidders must submit a completed Bidder Certification and Assurances Form, Exhibit A. Please sign and include any attachments that are necessary. Failure to submit a signed Certification and Assurances Form will result in disqualification.
 - c. Wage Theft Certification. Bidders must submit a completed and executed Wage Theft Certification Form, Exhibit B. Failure to submit will result in disqualification.
 - d. Executive Order 18-03 Contractor Certification (5 points). Bidders must submit a completed and executed Executive Order 18-03 Certification Form, Exhibit C. Failure to submit will result in disqualification.
 - e. OMWBE Certification. If you are certified as a minority-owned firm and/or women-owned firm, include proof of certification issued by the Washington State Office of Minority and Women's Business Enterprises (OMWBE).
 - f. Veteran's Certification. If you are certified as a veteran-owned firm include proof of certification issued by the Washington State Department of Veterans Affairs.
 - g. Proclamation 21-14 – COVID-19 Vaccination Certification. Bidders must submit a completed and executed Proclamation 21-14 Certification Form, Exhibit F. Failure to submit will result in disqualification.

3.2. **Qualifications/Experience (Section 2 of Proposal)**

General Requirements: This section of the Proposal must contain information that will demonstrate to the evaluation committee the Bidder's understanding of the types of services proposed, the Bidder's ability to accomplish them, and the ability to meet tight timeframes. This section must also demonstrate the capabilities of the Bidder's staff to perform the services.

Numbering of Responses. Please number each response so that it corresponds to the question number. *The response must begin with a restatement of the question followed by the Bidder's response to the question.* A reference to another section will not suffice, each answer must stand alone.

Attachments: Attachments must be labeled and the question number to which it responds must be indicated.

Points Awarded for Responses. The number in parentheses after each question or requirement represents the maximum number of points that may be awarded for the Bidder's response to that question or requirement.

a. Bidder Knowledge and Experience (60 points)

- (1) On the first page of this section, list the staff who will contribute to this contract and identify their role(s).
- (2) DEI Expertise – Explain how staff are equity and social justice experts by including a list of qualifications and describing relevant past projects. At least one principal staff member must have a minimum of 4+ years of work centered on racial equity, a deep working knowledge of systemic inequity and/or social change practices and a successful track record of developing systems and process change. (20 points)
- (3) Government Experience – Describe staff's experience with government in a consulting role in general. To receive maximum points available, experience consulting on social equity issues is required. (10 points)
- (4) Legislative Knowledge and Experience – Describe staff's knowledge of Washington's legislative process and how the knowledge was acquired. Include any experience preparing bill analyses, fiscal notes, and Health Impact Reviews or similar documents in other states or jurisdictions. (5 points)
- (5) Community Engagement – Explain how staff have meaningfully engaged the community and partners on past projects. (15 points)
- (6) Communication Skills – Describe staff's: experience facilitating equity-based conversations with large and small groups, written communication skills, verbal communication skills, ability to work through conflict honestly and openly, and ability to provide and accept clear and direct feedback. (10 points)
- (7) Responses to subsections (2)-(6) above should be properly labeled and must not exceed 500 words for each subsection.

b. Equity Impact Statement (30 points)

- (1) Describe staff's experience developing, implementing, and evaluating equity impact assessments and other race equity tools. (10 points)
- (2) Include two samples of equity impact assessment tools created and developed by staff. Provide a description of the tool and the purpose for which the tool was created. Identify which staff contributed and their role. (20 points)
- (3) Responses to subsections i and ii above should be properly labeled and must not exceed 500 words for each subsection. The sample tools submitted under subsection ii will not be counted toward the maximum of 500 words.

c. **Reference Check (10 points)**

Provided the names and contact information for 2-5 current or former clients. Include a brief 200 word or less description of each project. Two will be selected from the list provided as part of the reference check.

4. EVALUATION AND SELECTION

4.1. EVALUATION PROCEDURE

- a. Responsive proposals will be evaluated strictly in accordance with the requirements stated in this solicitation and any Amendments issued. The evaluation of proposals shall be accomplished by an evaluation team to be designated by OFM, which will determine the highest-scoring Bidder for selection as the Apparent Successful Bidder.
- b. The Solicitation Coordinator reserves the right to contact Bidders for clarification of any portion of the Bidder's Proposal.

4.2. PROCUREMENT EVALUATION FOR EXECUTIVE ORDER 18-03 (FIRMS WITHOUT MANDATORY ARBITRATION FOR EMPLOYEE)

Pursuant to RCW 39.26.160(3) and consistent with Executive Order 18-03 – Supporting Workers' Rights to Effectively Address Workplace Violations, dated June 12, 2018, OFM will evaluate bids for best value and provide a bid preference of **5 points** to any bidder who certifies, pursuant to the certification attached as *Exhibit C – Contractor Certification for Executive Order 18-03 – Workers' Rights*, that their firm does NOT require its employees, as a condition of employment, to sign or agree to mandatory individual arbitration clauses or class or collective action waiver.

4.3. SCORING

- a. The following are the maximum points that will be assigned to the Proposals for bid evaluation purposes:

Scored Item	Maximum Points
Bidder Knowledge/Experience	60
Equity Impact Statement	30
Reference Check	10
Executive Order 18-03	5
Total Maximum Points	105

- b. Proposals will be consensus scored by evaluators. The evaluators will agree on the score for each scored item. Then the scores for all the scored items will be added together to determine the Bidder's total score.
- c. OFM reserves the right to award the contract to the Bidder whose Proposal is deemed to be in the best interest of OFM and the State of Washington.

4.4. FINAL DETERMINATION OF APPARENT SUCCESSFUL BIDDERS

- a. OFM program staff and/or management may conduct a final review of the evaluation and scoring of finalist(s).

- b. In this final review, OFM may consider past or current performance of any OFM contracts by a finalist(s), and any experience of the program or OFM in working with a finalist(s) under any past or current contract with OFM.
- c. In doing so, OFM management shall be guided, but not bound, by the scores awarded by the evaluators. Program staff and OFM management shall determine which Proposals reviewed during this final selection process will best meet the needs of OFM and, specifically, the needs of OFM.
- d. Any Bidder who would be an ASB based on the scores awarded by the evaluators, and who is not selected, shall be provided, upon request, the reasons why OFM selected a Bidder with a lower final score.

4.5. NOTIFICATION TO BIDDERS

Announcement of the ASB will be made via WEBS upon completion of the evaluation process. All Bidders who responded to this solicitation will receive an e-mail from WEBS notifying them of the ASB.

4.6. DEBRIEFING OF UNSUCCESSFUL BIDDERS

- a. Any Bidder who has submitted a proposal and been notified that they were not selected as an ASB may request a debriefing. The request for a debriefing conference must be **received** by the Solicitation Coordinator no later than 3:30 PM, local time, Olympia, Washington, on the date set forth in the Procurement Schedule.
- b. Discussion at the debriefing conference will be limited to the following:
 - Evaluation and scoring of the Bidder's Proposal;
 - Critique of the requesting Bidder's Proposal based on the evaluation; and
 - Review of Bidder's final score in comparison with other final scores without identifying the other firms.
- c. Comparisons between proposals or evaluations of the other proposals will not be allowed. Debriefing conferences may be conducted in person or on the telephone and will be scheduled for a maximum of one (1) hour.

4.7. PROTEST PROCEDURE

Protests may be made only by Bidders who submitted a response to this solicitation and participated in a debriefing conference. Upon completing the debriefing conference, the Bidder is allowed five (5) business days to file a protest of the results with the Solicitation Coordinator. Protests must be received by the Solicitation Coordinator no later than 5:00 pm, local time in Olympia, Washington on the fifth business day following the debriefing. Protests may be submitted by e-mail but must then be followed by the document with an original signature.

Bidders protesting this solicitation shall follow the procedures described below. Protests that do not follow these procedures shall not be considered. This protest procedure constitutes the sole administrative remedy available to Bidders under this solicitation.

All protests must be in writing, addressed to the Solicitation Coordinator, and signed by the protesting party or an authorized Agent. The protest must state the solicitation number, the grounds for the protest with specific facts and complete statements of

the action(s) being protested. A description of the relief or corrective action being requested should also be included.

Only protests stipulating an issue of fact concerning the following subjects shall be considered:

- A matter of bias, discrimination or conflict of interest on the part of an evaluator;
- Errors in computing the score;
- Non-compliance with procedures described in the solicitation or OFM policy.

Protests not based on procedural matters will not be considered. Protests will be rejected as without merit if they address issues such as: 1) an evaluator's professional judgment on the quality of a proposal, or 2) OFM's assessment of its own and/or other agencies needs or requirements.

Upon receipt of a protest the Solicitation Coordinator will immediately forward it to an OFM Protest Officer, who will be an employee delegated by the Director who was not involved in the solicitation. The Protest Officer will consider the record and all available facts and issue a decision within five (5) business days of receipt of the protest. If additional time is required, the protesting party will be notified of the delay.

In the event a protest may affect the interest of another Bidder that also submitted a proposal, such Bidder will be given an opportunity to submit its views and any relevant information on the protest to the Solicitation Coordinator.

The final determination of the protest shall:

- Find the protest lacking in merit and uphold OFM's action; or
- Find only technical or harmless errors in OFM's procurement process and determine OFM to be in substantial compliance and reject the protest; or
- Find merit in the protest and provide OFM options, which may include:
 - Correct the errors and re-evaluate all proposals, and/or
 - Reissue the solicitation document and begin a new process, or
 - Make other findings and determine other courses of action as appropriate.

If OFM determines that the protest is without merit, OFM will enter into contracts with the Apparent Successful Bidder(s). If the protest is determined to have merit, one of the alternatives noted in the preceding paragraph will be taken.

5. EXHIBITS

- Exhibit A Certifications and Assurances
- Exhibit B Wage & Theft Certification
- Exhibit C Executive Order 18-03 Contractor Certification
- Exhibit D Office of Financial Management Style, Design and Graphics Guidelines for Contractors
- Exhibit E Sample Contract
- Exhibit F Proclamation #21-14 COVID-19 Vaccination Certification

6. Appendices

- A. Chapter 332, Laws of 2020 (Engrossed Second Substitute House Bill 1783) – An Act Relating to Creating the Washington State Office of Equity:
<http://lawfilesexternal.leg.wa.gov/biennium/2019-20/Pdf/Bills/Session%20Laws/House/1783-S2.SL.pdf?q=20210926201009>
- B. Equity Office Task Force Final Proposal:
[https://healthequity.wa.gov/Portals/9/Doc/Publications/Reports/EquityOfficeTF_Final%20Proposal%20\(final\).pdf](https://healthequity.wa.gov/Portals/9/Doc/Publications/Reports/EquityOfficeTF_Final%20Proposal%20(final).pdf)
- C. Chapter 334, Laws of 2021 (Engrossed Substitute Senate Bill 5092) – An Act Pertaining to Fiscal Matters: <http://lawfilesexternal.leg.wa.gov/biennium/2021-22/Pdf/Bills/Senate%20Passed%20Legislature/5092-S.PL.pdf?q=20210428145030>
- D. Appendix D – Agency Fiscal Note Instruction 2021-2023 Biennium:
<https://ofm.wa.gov/sites/default/files/public/budget/instructions/other/agencyfiscalnoteinstructions.pdf>
- E. Appendix E – Health Impact Review website: <https://sboh.wa.gov/HealthImpactReviews>
- F. Chapter 310, Laws of 2021 (Engrossed Substitute Senate Bill 5405) – An Act Relating to Racial Equity Analysis for the Joint Legislative Audit and Review Committee Work:
<http://lawfilesexternal.leg.wa.gov/biennium/2021-22/Pdf/Bills/Session%20Laws/Senate/5405-S.SL.pdf?q=20210927133304>
- G. Executive Order 18-03: https://www.governor.wa.gov/sites/default/files/execute_order/18-03%20-%20Workers%20Rights%20%28tmp%29.pdf
- H. House Bill 1264 – An Act Relating to Establishing an Equity Impact Statement for Legislative Proposals:
<https://lawfilesexternal.leg.wa.gov/biennium/202122/Pdf/Bills/House%20Bills/1264.pdf?q=20211007211834>

Exhibit A
CERTIFICATIONS AND ASSURANCES

I/we make the following certifications and assurances as a required element of the proposal to which it is attached, understanding that the truthfulness of the facts affirmed here and the continuing compliance with these requirements are conditions precedent to the award or continuation of the related contract(s):

1. I/we declare that all answers and statements made in the proposal are true and correct.
2. The prices and/or cost data have been determined independently, without consultation, communication, or agreement with others for the purpose of restricting competition. However, I/we may freely join with other persons or organizations for the purpose of presenting a single proposal.
3. The attached proposal is a firm offer for a period of 60 days following receipt, and it may be accepted by OFM without further negotiation (except where obviously required by lack of certainty in key terms) at any time within the 60-day period.
4. In preparing this proposal, I/we have not been assisted by any current or former employee of the state of Washington whose duties relate (or did relate) to this proposal or prospective contract, and who was assisting in other than his or her official, public capacity. (Any exceptions to these assurances are described in full detail on a separate page and attached to this document.)
5. I/we understand that the OFM will not reimburse me/us for any costs incurred in the preparation of this proposal. All proposals become the property of the OFM, and I/we claim no proprietary right to the ideas, writings, items, or samples, unless so stated in this proposal.
6. Unless otherwise required by law, the prices and/or cost data, if any, which have been submitted have not been knowingly disclosed by the Proposer and will not knowingly be disclosed by him/her prior to opening, directly or indirectly, to any other Proposer or to any competitor
7. I/we agree that submission of the attached proposal constitutes acceptance of the solicitation contents and the attached sample contract with general terms and conditions. If there are any exceptions to these terms, I/we have described those exceptions in detail on a page attached to this document.
8. No attempt has been made or will be made by the Proposer to induce any other person or firm to submit or not to submit a proposal for the purpose of restricting competition.
9. I/we grant OFM the right to contact references and others, who may have pertinent information regarding the ability of the Bidder and the lead staff person to perform the services contemplated in this procurement.
10. If any staff member(s) who will perform work on this contract has retired from the State of Washington under the provisions of the 2008 Early Retirement Factors legislation, his/her name(s) is noted on a separately attached page.

We **(circle one)** **are/are not** submitting proposed Contract exceptions (See Section 2.10, Contract with General Terms and Conditions). If Contract exceptions are being submitted, I/we have attached them to this form.

On behalf of the Bidder submitting this proposal, my name below attests to the accuracy of the above statements.

Signature of Bidder

Title

Date

Exhibit B
Contractor Certification
Wage Theft Prevention – Responsible Bidder Criteria

Prior to awarding a contract, agencies are required to determine that a bidder is a 'responsible bidder.' See RCW 39.26.160(2) & (4). Pursuant to legislative enactment in 2017, the responsible bidder criteria include a contractor certification that the contractor has not willfully violated Washington's wage laws. See Chap. 258, 2017 Laws (enacting SSB 5301).

OFM Procurement Number: 21-1500 – Equity Impact Statement

I hereby certify, on behalf of the organization/organizations identified below, as follows (check one):

- ☐ **NO WAGE VIOLATIONS.** This organization and, in cases of joint proposals, the members of our coalition, has NOT been determined by a final and binding citation and notice of assessment issued by the Washington Department of Labor and Industries or through a civil judgment entered by a court of limited or general jurisdiction to have willfully violated, as defined in [RCW 49.48.082](#), any provision of RCW chapters [49.46](#), [49.48](#), or [49.52](#) within three (3) years prior to the date of the above-referenced procurement solicitation date.

OR

- ☐ **VIOLATIONS OF WAGE LAWS.** This organization and, in cases of joint proposals, the members of our coalition, has been determined by a final and binding citation and notice of assessment issued by the Washington Department of Labor and Industries or through a civil judgment entered by a court of limited or general jurisdiction to have willfully violated, as defined in [RCW 49.48.082](#), a provision of RCW chapters [49.46](#), [49.48](#), or [49.52](#) within three (3) years prior to the date of the above-referenced procurement solicitation date.

I hereby certify, under penalty of perjury under the laws of the State of Washington, that the certifications herein are true and correct and that I am authorized to make these certifications on behalf of the firm listed herein.

ORGANIZATION NAME: _____
Name of Bidder – Print full legal entity name of organization

By: _____
Signature of authorized person Print Name of person making certifications for firm

Title: _____ Place: _____
Title of person signing certificate Print city and state where signed

Date: _____

Return to Solicitation Coordinator with bid response. Failure to submit will result in disqualification.

EXHIBIT C
CONTRACTOR CERTIFICATION
EXECUTIVE ORDER 18-03 – WORKERS’ RIGHTS
WASHINGTON STATE GOODS & SERVICES CONTRACTS

Pursuant to the Washington State Governor’s Executive Order 18-03 (dated June 12, 2018), the Washington State Office for Regulatory Innovation and Assistance is seeking to contract with qualified entities and business owners who certify that their employees are not, as a condition of employment, subject to mandatory individual arbitration clauses and class or collective action waivers.

OFM Procurement Number: 21-1500 – Equity Impact Statement

I hereby certify, on behalf of the firm identified below, as follows (check one):

☐ **NO MANDATORY INDIVIDUAL ARBITRATION CLAUSES AND CLASS OR COLLECTIVE ACTION WAIVERS FOR EMPLOYEES.** This firm does NOT require its employees, as a condition of employment, to sign or agree to mandatory individual arbitration clauses or class or collective action waivers.

OR

☐ **MANDATORY INDIVIDUAL ARBITRATION CLAUSES AND CLASS OR COLLECTIVE ACTION WAIVERS FOR EMPLOYEES.** This firm requires its employees, as a condition of employment, to sign or agree to mandatory individual arbitration clauses or class or collective action waivers.

I hereby certify, under penalty of perjury under the laws of the State of Washington, that the certifications herein are true and correct and that I am authorized to make these certifications on behalf of the firm listed herein.

FIRM NAME: _____
Name of Contractor/Bidder – Print full legal entity name of firm

By: _____
Signature of authorized person Print Name of person making certifications for firm

Title: _____ Place: _____
Title of person signing certificate Print city and state where signed

Date: _____

Return to Solicitation Coordinator with bid response. Failure to submit will result in disqualification.

Exhibit D

Office of Financial Management

Style, Design and Graphics Guidelines for Contractors

Contractors are required to submit materials that adhere to the [Office of Financial Management's style guide](#) and to the following standards. Materials that do not meet style, design or graphic guidelines will be returned to the contractor for correction. We use these guidelines to assure quality and consistency among the many reports we distribute and post online on behalf of the Governor's Office and the Office of Financial Management.

File formats

All final documents must be submitted in formats that are editable in either Microsoft or Adobe software.

Source files

All source files become the property of OFM and will be provided to OFM staff upon request.

ADA-compliance and accessibility

Information posted on public websites is required to meet federal Americans with Disabilities Act standards (see www.ada.gov for more information) and must be submitted to OFM in an accessible (ADA-compliant) format. Image files (.jpg, .tiff, .png) are not accessible; neither are text or graphic files that are created by scanning.

Written style

OFM uses the Associated Press Stylebook as its reference guide. For style guidance specific to OFM, see the [OFM style guide](#).

Executive summary

OFM strongly encourages that reports be submitted with a concise executive summary that explains the reason the report is being submitted (such as a budget proviso), a brief description of methodology (if pertinent), key findings and recommendations.

Fonts

Use standard Microsoft fonts. OFM's preferred fonts are:
Garamond font, 12-point size, for body of text.

Arial narrow font, 10-point size, for tables and charts.

Arial font, 16- and 14-point size bold, for headings, titles and subtitles.

Images

Images should be used appropriately for illustrative purposes, and follow ADA guidelines. Photos, drawings, maps and similar images are not ADA-compliant unless they include alternative text that describes the content and information conveyed.

Tables

Tables can either be created in Word or imported from Excel in an accessible format, not as a screenshot.

Keep tables on one page — do not split among pages if they can be kept intact. If a table must spread across multiple pages, repeat the header on each page.

Charts

Create charts in PowerPoint, Excel or Illustrator and import into a Word document in an accessible format. Ensure data is embedded in the chart if possible (not in a separate Excel file) so they can be accessed or edited if needed.

Reduce unnecessary chart elements such as gridlines, background colors, shadowing, 3D, borders, excess zeros and redundant text.

Avoid using color alone to convey meaning in charts – provide emphasis with text, identifiers, symbols or patterns. This ensures accessibility and enables content to be understood when printed in black and white.

To ensure charts are ADA-compliant and can be understood by those with a visual disability using screen reader software, add alternative text to each chart that describes the key information conveyed in it. Also include the chart data in a table, either below the chart or in an appendix, with a link to the table from the chart caption or description.

Logos

Your firm's logo may appear on the front cover, title page and/or back cover pages only. Logos are discouraged on the inside pages, or in headers and footers.

Contact

If you have questions about these guidelines, contact:

Erin Cahill, OFM Communications

erin.cahill@ofm.wa.gov

EXHIBIT F
Contractor Certification
Proclamation 21-14 - COVID-19 Vaccination Certification

To reduce the spread of COVID-19, Washington state Governor Jay Inslee, pursuant to emergency powers authorized in [RCW 43.06.220](#), issued [Proclamation 21-14 – COVID-19 Vaccination Requirement](#) (dated August 9, 2021), as amended by [Proclamation 21-14.1 – COVID-19 Vaccination Requirement](#) (dated August 20, 2021) and as may be amended thereafter. The Proclamation requires contractors who have goods, services, or public works contracts with a Washington state agency to ensure that their personnel (including subcontractors) who perform contract activities on-site comply with the COVID-19 vaccination requirements, unless exempted as prescribed by the Proclamation.

OFM Procurement Number: 21-1500 – Equity Impact Statement

I hereby certify, on behalf of the firm identified below, as follows (check one):

☐ **COVID-19 CONTRACTOR VACCINATION PROCLAMATION COMPLIANCE.** Contractor:

- Has reviewed and understands Contractor's obligations as set forth in [Proclamation 21-14 – COVID-19 Vaccination Requirement](#) (dated August 9, 2021), as amended by [Proclamation 21-14.1 – COVID-19 Vaccination Requirement](#) (dated August 20, 2021); and
- Contractor personnel (including subcontractors) who are subject to the vaccination requirement in the above-referenced Proclamation will provide Agency proof of full vaccination against COVID-19 or appropriate exemption for which a reasonable accommodation has been provided.

OR

☐ **CONTRACTOR IS NOT ABLE TO PERFORM IN COMPLIANCE WITH THE VACCINATION PROCLAMATION.** Contractor is not able to perform the contract obligations in compliance with the above-referenced Proclamation. [Note: Compliance with the Proclamation is mandatory. Bidders/Contractors who are not able to perform in compliance with the Vaccination Proclamation will not be evaluated.]

I hereby certify, under penalty of perjury under the laws of the State of Washington, that the certifications herein are true and correct and that I am authorized to make these certifications on behalf of the firm listed herein.

Firm Name: _____
Name of Contractor/Bidder – Print full legal entity name of firm

By: _____
Signature of authorized person

Print Name of person making certifications for firm

Title: _____
Title of person signing certificate

Place: _____
Print city and state where signed

Date: _____